

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CONSUMER FINANCIAL
PROTECTION BUREAU,**

Plaintiff,

v.

NAVIENT CORPORATION, et al.,

Defendants.

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: **3:17-CV-101**
: **(JUDGE MARIANI)**
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ORDER

AND NOW, THIS 10th **DAY OF DECEMBER, 2018**, upon consideration of the discovery disputes discussed at the December 10, 2018 hearing, **IT IS HEREBY**

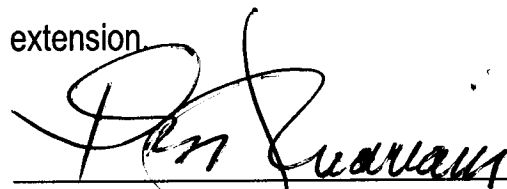
ORDERED THAT:

1. As Defendants have agreed to the appointment of a Special Master pursuant to Fed. R. Civ. P. 53(a)(1)(A), Plaintiff shall, **by December 17, 2018 at 5:00 pm**, notify the Court of its position with respect to the appointment of a Special Master to determine the issues raised by Defendants as to the sufficiency of the statements justifying the assertion of privilege in each of the 35 disputed categories ("Disputed Categories") on Plaintiff's privilege logs identified by Defendants at the December 10 hearing, and, as necessary, conduct an *in camera* inspection of the documents in each Disputed Category where the Special Master has determined that the assertion of privilege has been sufficiently stated. The Disputed Categories are also identified in

Defendants' October 10, 2018 letter to the Court (Doc. 107 at 6-7 nn. 3-4) and are listed in Plaintiff's July 6, 2018 and August 31, 2018 privilege logs: Categories 1-2, 11, 22, 27-31, 33, 35-50, 71-75, 79-81, and 85. (See Doc. 107-8, Doc. 107-9).

2. **By December 17, 2018 at 5:00 pm**, Defendants shall file with the Court a statement as to each of the Disputed Categories that identifies the relevance of the documents which they believe should properly be disclosed by Plaintiff absent being shielded from discovery by a claim of privilege. If Defendants are unable to identify the relevance of documents that they believe were improperly shielded by Plaintiff's assertion of privilege, they must set forth in detail why they are unable to make a showing of the relevance of such documents that they claim are improperly shielded from disclosure. Plaintiff is permitted to respond to Defendants' statement by **December 24, 2018 at 5:00 pm**.

3. **By December 17, 2018 at 5:00 pm**, the parties shall provide the Court with an agreed upon time by which fact discovery should be extended. The Court recognizes both parties have acknowledged the need for an extension of time to complete discovery, such that the Court expects them to agree upon an appropriate period for such extension. Should the parties fail to agree, the Court will peremptorily determine the period of such extension.

A handwritten signature in black ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge